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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,190	09/27/2001	Christopher Medcalf	BAI525-540/01809	2827

7590 05/20/2004
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Tulsa, OK 74119

EXAMINER

WU, XIAO MIN

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,190

Applicant(s)

MEDCALF, CHRISTOPHER

Examiner

XIAO M. WU

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 4,5 and 10-12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/8/2002.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Hosotani (US Patent No. 6,611,270).

As to claim 1, Hosotani discloses a system for the control of the generation of an on-screen display on a display screen, the system comprising: control means (1, Fig. 9) for the display continue to operate the system until a request to generate, add or otherwise alter the display of an area is received upon the deletion, change of an area of a first on screen display whereupon the control means detects whether or not a vertical synchronization signal for the display screen has occurred since the change to the area of the first display (e.g. the OSD logical circuit 96 is allowed to access to the OSD-RAM 4 when a vertical synchronization signal Sv set to a high level (H) "1" is input to the OSD logical circuit, and the OSD logical circuit 96 does not access to the OSD-RAM 4 when the vertical synchronization signal Sv set to a low level (L) "0" is input to the OSD logical circuit 96, see col. 16, lines 47-65).

As to claim 2, Hosotani discloses that the generation, addition or other alternation with regard to the part of the on-screen display occurs immediately when the vertical synchronization signal has occurred (col. 17, lines 24-43).

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As to claim 3, Hosotani discloses the system continues until a request to draw into the previously data buffer (e.g. the OSD-RAM 4 is equivalent to a buffer) of a part of the first display is received when the display data buffer memory of the part of the first display is changed.

As to claim 6, Hosotani discloses that the system is controlled with regard to the occurrence of the vertical synchronization signal with respect to those changes in the on-screen display would not cause an artifacts to be created n screen (col. 17, lines 61-62).

As to claim 7, Hosotani discloses that the request for an alternation is made, the first on-screen display continues to be displayed until the generation of the change occurs (col. 17, lines 7-16).

As to claim 8, Hosotani discloses the control means delays a new operation until the vertical synchronization signal has occurred 9col. 16, line 66 to col. 17, line4).

As to claim 9, Hosotani discloses the generation of a second display occurs when a vertical synchronization signal has occurred in the intervening period of time (see Fig. 10).

Allowable Subject Matter

3. Claims 4, 5 and 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The US Patents 4,345,246, 5,670,972, 5,724,104, 5,734,437, 5,838,386, 5,889,500, 5,969,727, 6,008,861, 6,195,087, 6,424,341 are cited to teach an on-screen display.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

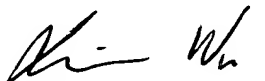
(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

May 15, 2004


**XIAO WU
PRIMARY EXAMINER
ART UNIT 2674**